

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ROMAIN PRAGE a/k/a ROMAINE PRAGE,

Plaintiff,

No. 1:16-cv-01627-CBA-RLM

- against -

KAVULICH & ASSOCIATES, P.C.;
GARY KAVULICH; and SJ COOPER REALTY, LLC,

Defendants.

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**DECLARATION OF JESSICA MOODY IN SUPPORT OF PLAINTIFFS' MOTION
FOR SUMMARY JUDGMENT**

JESSICA MOODY declares, under penalty of perjury and pursuant to 28 U.S.C. § 1746::

1. I am a law clerk in the Law Office of Ahmad Keshavarz, one of Plaintiff's attorneys. I submit this declaration in support of Plaintiff's Motion for Summary Judgment pursuant to FRCP 56 and its relevant subsections.

2. Ahmad Keshavarz is one of the attorneys for James Morales, the plaintiff in a federal case being litigated in the Southern District of New York, captioned *Morales v. Kavulich & Associates, P.C.*, Index No: 1:16-cv-02134-ALC-JLC (S.D.N.Y.). The defendants in *Morales* are represented by Mitchell Pashkin, the same attorney representing the defendants in the case at bar.

3. Through my role as a law clerk for Mr. Keshavarz I have become familiar with the facts and circumstances surrounding the *Morales* litigation.

4. Attached as Exhibit LL is a true and correct copy of the transcript of the November 17, 2016 deposition of Gary Kavulich in *Morales v. Kavulich & Associates, P.C.*, No. 1:16-cv-02134-ALC-JLC (S.D.N.Y.) ("Morales Kavulich Trns.").

5. Attached as Exhibit MM is a true and correct copy of the court file for *Prana Growth Fund I, LP v. Rauda-Rodriguez*, Index No. CV-11024/09-BX (“Rauda Rodriguez case documents”).

6. Attached as Exhibit NN is a true and correct copy of the emails between Kavulich and Marshal Biegel concerning Andres Rauda Rodriguez, the defendant in *Prana Growth Fund I, LP v. Rauda-Rodriguez*, Index No. CV-11024/09-BX (“Rauda Rodriguez emails”).

7. Attached as Exhibit OO is a true and correct copy of the court file for *Kelly Street Realty, Inc. v. Marrero*, Index No. CV-100350/08-BX (“Marrero case documents”).

8. Attached as Exhibit PP is a true and correct copy of the emails between Kavulich and Marshal Biegel concerning Laura Merrero (“Marrero emails”).

9. Attached as Exhibit QQ is a true and correct copy of the court file for *Novick, Edelstein, Lubell, Reisman, Wasserman & Leventhal, P.C. v. Rosemary*, Index No. CV-042539/11-BX.

10. Attached as Exhibit RR is a true and correct copy of the emails between Kavulich and Marshal Biegel concerning Millington Rosemary, the defendant in *Novick, Edelstein, Lubell, Reisman, Wasserman & Leventhal, P.C. v. Rosemary*, Index No. CV-042539/11-BX.

11. Attached as Exhibit SS is a true and correct copy of the court file for *2246 Webster Avenue, HDFC v. Nunez and Martinez*, Index No. CV-33659/11-BX.

12. Attached as Exhibit TT is a true and correct copy of the emails between Kavulich and Marshal Biegel concerning Ernesto Nunez (“Nunez emails”).

13. Attached as Exhibit UU is a true and correct copy of the court file for *795 Sheva Realty Assoc. LLC v. Gasparro*, Index No. LT-61457/07-NY (“Gasparro case documents”).

14. Attached as Exhibit VV is a true and correct copy of the emails between Kavulich and Marshal Biegel concerning Victoria Gasparro, the defendant in *795 Sheva Realty Assoc. LLC v. Gasparro*, Index No. LT-61457/07-NY (“Gasparro emails”).

15. Attached as Exhibit WW is a true and correct copy of the Complaint in *Ormsby v. Gary Kavulich et al*, Case No. 1:10-cv-03400-SJ-JO (E.D.N.Y.).

16. Attached as Exhibit XX is a true and correct copy of the court file and case summary for *Kelly Street Realty Corp. v. Velazquez*, Index No. CV-24996/10-BX (“Velasquez case documents”).

17. Attached as Exhibit YY is a true and correct copy of the emails between Kavulich and Marshal Biegel concerning Eliza Velasquez, the defendant in *Kelly Street Realty Corp. v. Velazquez*, Index No. CV-24996/10-BX (“Velasquez emails”).

18. Attached as Exhibit ZZ is a true and correct copy of the April 8, 2015 Execution to Marshal Biegel.

19. Attached as Exhibit AAA is a true and correct copy of the Chase letter dated April 3, 2015.

Dated: New York, New York
December 18, 2017

/s/
JESSICA MOODY